



CITY OF LODI COUNCIL COMMUNICATION

FM

AGENDA TITLE: Accept Improvements Under Contract for the "Church Street and Sacramento Street Overlays **2006** Project"

MEETING DATE: July **18,2007**

PREPARED BY: Public Works Director

RECOMMENDED ACTION: Accept the improvements under the "Church Street and Sacramento Street Overlays 2006 Project" contract.

BACKGROUND INFORMATION: The project was awarded at the August 16, 2007 Council meeting to George Reed, Inc., of Lodi, in the amount of \$374,791.

This project included the installation of a 0.20-foot thick asphalt pavement overlay on Church Street between Lodi Avenue and Lockeford Street, and a 0.15-foot thick asphalt pavement overlay on Sacramento Street between Elm Street and Lockeford Street. The work also included the placement of approximately 3,200 square yards of pavement reinforcement fabric, pavement grinding, pavement striping, and signal modifications.

The final contract price is \$388,645.70; however, George Reed, Inc. is being assessed liquidated damages in the amount of \$12,150. The contract completion date for this project was December 7, 2006, and striping on Church Street was not done until January 3, 2007 (27 calendar days after the contract completion date). The specifications for this project stated that the City would assess a \$450 per day penalty for every calendar day's delay in finishing the work.

Contract Change Order No. 1 was also issued to George Reed, Inc. in the amount of \$22,819.20 to pay for the striping of Central Avenue between Vine Street and Kettleman Lane. This portion of Central Avenue was paved by our Street crew last fall. This contract change order took advantage of George Reed, Inc.'s specialty subcontractor by having them place new lane lines and legends while they were in town.

Following acceptance by the City Council, as required by law, the City Engineer will file a Notice of Completion with the County Recorder's office. The notice serves to notify vendors and subcontractors that the project is complete and begins their 30-day period to file a stop notice requiring the City to withhold payments from the prime contractor in the event of a payment dispute.

Related to this project, the City received the attached letter from the Downtown Business Partnership regarding disposition of the liquidated damages amount. At the time of the letter, the amount had not yet been determined. Among other purposes, the liquidated damage amount covers additional costs associated with the City's administration of the contract. Staff feels it would be poor public policy to turn this payment over to any third party. We do suggest that the majority of the funds be applied to future capital maintenance projects in the Downtown, such as repairs to the kiosks.

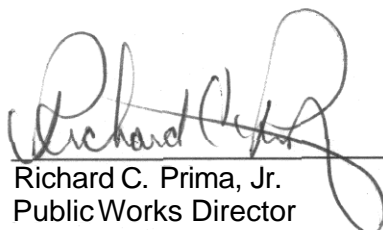
APPROVED: _____

Blair King, City Manager

FISCAL IMPACT: By investing in the recommended overlay project, significant capital dollars will be saved by extending the useful life of the pavement section.

| | | |
|---------------------------|---------------------|------------------|
| FUNDING AVAILABLE: | Measure K | \$321,300 |
| | TDA Streets | \$ 51,700 |
| | TDA Bike/Ped | \$ 10,000 |
| | Electric Utility | \$ 5,650 |


Kirk Evans, Budget Manager


Richard C. Prima, Jr.
Public Works Director

Wes Fujitani/Senior Civil Engineer

RCP/WF/drr

Attachments

cc: Streets and Drainage Manager
Transportation Manager
Senior Traffic Engineer
Downtown Lodi Business Partnership



DEC 28 2006
CITY MANAGER'S OFFICE

December 28, 2006

Mr. Blair King, City Manager
City of Lodi
221 W. Pine Street
Lodi, Ca 95241-1910

Re: Church Street Closure

Dear Blair,

Our Downtown merchants were greatly impacted by the two notices of intent to close, then by the actual closure of Church Street on the third notice on December 14th ten days before Christmas. Each time our merchants received notice of any closure they would inform their customers who would then be discouraged and not return, causing loss of revenue. It was our understanding that this project was to be completed in late summer at night. Instead after two notices to close it was finally closed on the 3rd notice during our busiest time of the year. After talking with Mr. Prima and Mr. Sandelin, it is my understanding that the contractor George Reed Inc. is going to pay penalties to the city. We request that those penalties be forwarded to the DLBP as our merchants were the impacted parties. This money would be used to promote our common business interest of businesses and merchants in our Downtown

Sincerely,

Chuck Easterling, President
Downtown Lodi Business Partnership

Cc: Jaime Watts, Executive Director

Attachments: Three Notices of Intent to Close

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Lodi, Ca 95240
Ph: (209) 369-8052 Fax: (209) 369-8053
www.downtownlodi.com

CITY COUNCIL

BOB JOHNSON, Mayor
JOANNE L. MOUNCE
Mayor Pro Tempore
LARRY D. HANSEN
SUSAN HITCHCOCK
PHIL KATZAKIAN

CITY OF LODI
PUBLIC WORKS DEPARTMENT

CITY HALL, 221 WEST PINE STREET
P.O. BOX 3006

LODI, CALIFORNIA 95241-1910

(209) 333-6706

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BLAIR KING

City Manager

RANDI JOHL

City Clerk

D. STEVEN SCHWABAUER

City Attorney

RICHARD C. PRIMA, JR.

Public Works Director

July 13, 2007

Downtown Lodi Business Partnership
P.O. Box 1565
Lodi, CA 95241

SUBJECT: Accept Improvements Under Contract for the Church Street and
Sacramento Street Overlays 2006 Project

Enclosed is a copy of background information on an item on the City Council agenda of
Wednesday, July 18, 2007. The meeting will be held at 7 p.m. in the
City Council Chamber, Carnegie Forum, 305 West Pine Street.

This item is on the consent calendar and is usually not discussed unless a
Council Member requests discussion. The public is given an opportunity to address
items on the consent calendar at the appropriate time.

If you wish to write to the City Council, please address your letter to City Council,
City of Lodi, P. O. Box 3006, Lodi, California, 95241-1910. Be sure to allow time for the
mail. Or, you may hand-deliver the letter to City Hall, 221 West Pine Street.

If you wish to address the Council at the Council Meeting, be sure to fill out a speaker's
card (available at the Carnegie Forum immediately prior to the start of the meeting) and
give it to the City Clerk. If you have any questions about communicating with the
Council, please contact Randi Johl, City Clerk, at 333-6702.

If you have any questions about the item itself, please call Wes Fujitani,
Senior Civil Engineer, at 333-6800, extension 2669.



for ! Richard C. Prima, Jr.
Public Works Director.

RCP/pmf

Enclosure

cc: City Clerk